

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF MISSISSIPPI
NORTHERN DIVISION**

PHI THETA KAPPA HONOR SOCIETY,)	
)	
Plaintiff/Counter-Defendant)	Civil Action No. 3:22-cv-00208-CWR-RPM
)	
v.)	URGENT AND NECESSITOUS
)	
HONORSOCIETY.ORG, INC.,)	
)	
Defendant/Counter-Plaintiff)	
/Third-Party-Plaintiff)	
)	
HONOR SOCIETY FOUNDATION, INC.,)	
)	
Defendant)	
)	
-----)	
)	
HONORSOCIETY.ORG, INC.,)	
)	
Defendant/Counter-Plaintiff)	
/Third-Party-Plaintiff)	
)	
v.)	
)	
DR. LYNN TINCHER-LADNER,)	
)	
Third-Party Defendant)	

**PHI THETA KAPPA HONOR SOCIETY AND DR. LYNN TINCHER-LADNER’S
NOTICE OF SUPPLEMENTAL EXHIBITS**

Plaintiff/Counter-Defendant Phi Theta Kappa Honor Society (“PTK”) and Third-Party Defendant Dr. Lynn Tincher-Ladner (“Tincher-Ladner”) give notice of their filing of supplemental exhibits in connection with their Motion for Contempt and Sanctions (ECF No. 242) and corresponding Reply (ECF No. 264).¹ Exhibit A (ECF No. 242-1) and Exhibit B (ECF No. 261-

¹ PTK originally filed its Reply as ECF No. 261 and filed the corrected version of its Reply as ECF 264.

1), Etienne Declarations, were filed with the Motion and Reply, respectively, and provide examples of Honor Society's contemptuous conduct.

Exhibit C, Supplemental Etienne Declaration, is filed herewith and describes new facts learned on Thursday, December 5, 2024 related to PTK's Motion for Contempt and Sanctions. The supplemental declaration and exhibits show that Honor Society has continued to distribute the "Community College Honor Societies Survey" – a version of which was subject to the Court's First Preliminary Injunction Order (ECF No. 130) – to PTK's members and potential members. *See* Exs. C-12, C-13, C-14, C15 (showing the survey).

The survey at its conclusion previously directed recipients to a Trustpilot webpage where recipients were encouraged to leave reviews about PTK immediately after the survey. As of November 29, the survey directed students to a Google search landing page (Exhibit C-2), showing the top 10 search results for "Phi Theta Kappa Lawsuit." Seven of the featured webpages (Exhibits C-3 - C-10) are Honor Society's disparaging and misleading webpages, many of which were the subject of the Second Preliminary Injunction Order (ECF No. 230) and PTK's Motion for Contempt and Sanctions (ECF No. 242). As of December 7 or earlier, it appears the operation of the survey was changed again, this time to redirect students to a Google search landing page (Exhibit C-16), showing the top 10 search results for "phi theta kappa false advertising." Six of the featured webpages (Exhibits C-17 - C-22) are Honor Society's disparaging and misleading webpages, several of which were the subject of the Second Preliminary Injunction Order (ECF No. 230) and PTK's Motion for Contempt and Sanctions (ECF No. 242).

These new facts demonstrate that Honor Society is using a version of its survey subject of the first injunction proceeding to affirmatively drag PTK's members and potential members into the very content that is subject of the Second Preliminary Injunction Order and PTK's Motion for

Contempt and Sanctions. While PTK's Motion for Contempt and Sanctions remains pending with the Court, Honor Society is seeking to maximize exposure to the very same webpages at issue therein.

PTK respectfully requests that the Court consider these new facts as it prepares its Order addressing PTK's Motion for Contempt and Sanctions. These new facts also underscore the urgency of the Court's ruling on PTK's Motion. Honor Society's bad-faith conduct is unrelenting and must be stopped, as PTK's reputation suffers each day in the interim.

Dated this 9th day of December 2024.

Respectfully submitted,

/s/ Jonathan G. Polak

Jonathan G. Polak (Pro Hac Vice)
J. Mitchell Tanner, (Pro Hac Vice)
TAFT STETTINIUS & HOLLISTER LLP
One Indiana Square, Suite 3500
Indianapolis, IN 46204-2023
(317) 713-3500 – phone
(317) 713-3699 – fax
jpolak@taftlaw.com
mtanner@taftlaw.com

Rachel Smoot (Pro Hac Vice)
TAFT STETTINIUS & HOLLISTER LLP
41 S. High Street, Suite 1800
Columbus, OH 43215
(614) 221-2838 – phone
(614) 221-2007 – fax
rsmoot@taftlaw.com

Daniel R. Warncke (Pro Hac Vice)
TAFT STETTINIUS & HOLLISTER LLP
425 Walnut Street, Suite 1800
Cincinnati, OH 45202
(513) 357-9397 – phone
dwarncke@taftlaw.com

Philip R. Bautista (Pro Hac Vice)
TAFT STETTINIUS & HOLLISTER LLP
200 Public Square, Suite 3500
Cleveland, OH 44114-2302
(216) 706-3686 – phone
pbautista@taftlaw.com

/s/ Michael B. Wallace
Michael B. Wallace, MSB # 6904
Charles E. Cowan, MSB # 104478
WISE CARTER CHILD & CARAWAY, P.A.
Post Office Box 651
Jackson, Mississippi 39205
Phone 601-968-5500

Counsel for Plaintiff

CERTIFICATE OF SERVICE

I, Jonathan G. Polak, do hereby certify that I have this day electronically filed the foregoing pleading or other paper with the Clerk of the Court using the ECF system which sent notification to all counsel of record.

Dated: December 9, 2024

/s/ Jonathan G. Polak
Jonathan G. Polak